

REMARKS

In accordance with the foregoing, claims 1-2, 5, 7 and 14 have been amended. Claims 1-14 are pending and under consideration.

The rejections based on Lin and Challenger are respectfully traversed. It is respectfully submitted that the Examiner's combination is not proper, because there would have been no motivation to combine the references. The Examiner relies upon Challenger as teaching byte-adding a password. However, there is no motivation, taught in the references, that would have lead one of ordinary skill in the art to use this technique. Specifically, "rejection of patent application for obviousness under 35 USC §103 must be based on evidence comprehended by language of that section, and search for and analysis of prior art includes evidence relevant to finding of whether there is teaching, motivation, or suggestion to select and combine references relied on as evidence of obviousness; factual inquiry whether to combine references must be thorough and searching, based on objective evidence of record." In re Lee 61 USPQ2d 1430 (CAFC 2002). Thus, as pointed out in In re Lee, the record must support motivation, i.e., there must be something in the record pointing out where the recited motivation can be found. In addition, there must be some discussion on how that purported motivation or suggestion is even relevant to the reference being modified. However, Challenger teaches no advantages to using byte adding, and therefore, there would have been no motivation to use this feature in Lin.

Furthermore, using independent claim 1 as an example, this claim recites storing an added check sum value that is calculated by byte-adding the user password and the product serial number in a memory, when the product serial number is not a default value in manufacturing. In contrast, Challenger does not check for a default value, but instead adds automatically without the checking operation. The failure bit described at column 8, line 18 merely determines that the operation fails, but does not determine the reason for the failure. Thus, the reference does not determine that the reason for the failure is because the value is still a default.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

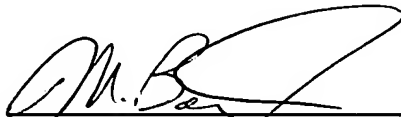
Serial No. 10/603,746

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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